

HOUSE OF REPRESENTATIVES,
Washington, DC, May 2, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN: Respectfully, I write to tender my resignation as a member of the House Committee on Education and the Workforce. It has been an honor to serve in this capacity.

Thank you.

Sincerely,

STEVEN D. RUSSELL,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ELECTING A MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. BYRNE. Mr. Speaker, by direction of the House Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 303

Resolved, That the following named Member be, and is hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON EDUCATION AND THE WORKFORCE: Mr. Estes of Kansas.

COMMITTEE ON SMALL BUSINESS: Mr. Estes of Kansas.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1180, WORKING FAMILIES FLEXIBILITY ACT OF 2017; PRO- VIDING FOR PROCEEDINGS DUR- ING THE PERIOD FROM MAY 5, 2017, THROUGH MAY 15, 2017; AND FOR OTHER PURPOSES

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 299 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 299

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1180) to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-15 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit with or without instructions.

SEC. 2. On any legislative day during the period from May 5, 2017, through May 15, 2017—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

SEC. 4. It shall be in order at any time on the legislative day of May 4, 2017, or May 5, 2017, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

SEC. 5. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of May 5, 2017.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 1 hour.

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 299 provides for the consideration of H.R. 1180, the Working Families Flexibility Act. This resolution provides for a closed rule since no amendments were submitted to the Rules Committee.

Mr. Speaker, the workforce of the 21st century is a lot different from the workforce of the thirties and forties when many of our Nation's labor laws were first written. As such, many of these laws are outdated and out of touch with the realities facing today's workers.

For example, in nearly half of two-parent households, both Mom and Dad work full time. That is up from roughly 30 percent in 1970. Meanwhile, millennials now represent the majority of the workforce.

Given the changes in the workforce, there are new challenges related to the work-family balance. From children's field trips, to taking care of an elderly family member, to a single parent juggling different tasks while their spouse is on a military deployment, the demands are greater than ever. That is where the Working Families Flexibility Act comes in.

This commonsense bill would improve the quality of life for many hard-

working men and women by removing outdated Federal restrictions imposed solely on the private sector.

Already, workers in the public sector at the Federal, State, and local level have the ability to take comp time in lieu of overtime pay if they prefer. This bill would give that same option to workers in the private sector.

Here is how it would work. An employee and their employer would come together and mutually agree to enter an arrangement where the employee would receive time and a half in time off or comp time instead of time-and-a-half overtime pay. In other words, employees would have the choice between paid time off and cash wages for working overtime.

As I mentioned, this provision is already available for workers in the public sector. That is because, in 1985, Congress amended the Fair Labor Standards Act to give public sector employees greater flexibility. In fact, in a report filed by the House Education and the Workforce Committee more than 30 years ago, our Democratic colleagues wrote that this change in law recognized the "mutual benefits" of comp time for State and local governments and outlined the "freedom and flexibility" comp time would offer public sector workers.

Shouldn't workers in the private sector be entitled to the same freedom and flexibility given to government workers?

Now, I know some of my colleagues on the other side of the aisle will say this bill is somehow bad for workers. That could not be further from the truth. Let me clear up some of the false information put out by union bosses and special interest groups.

First, this proposal is completely voluntary. Both an employee and an employer would have to agree to a comp time agreement, and their agreement would have to be put in writing.

Second, no employer can coerce or intimidate their employees into taking comp time. An employee who feels they have been mistreated can file a charge with the Department of Labor, at no cost, or they can bring their own legal action. Employers who take advantage of their employees would face the same penalties as they would for other wage violations.

Now, as a labor and employment attorney, I have been a part of these kind of legal matters in the past, and I can honestly say that no sensible employer would take advantage of an employee and risk double damages, exorbitant attorney fees, and a legal battle with the Federal Government.

Third, employees have control over when to use their comp time, as long as reasonable notice is given and the request doesn't unduly disrupt the workplace. This is the same standard used in the public sector, and it is the same standard used under the Family and Medical Leave Act. I imagine it is also